IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

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W.P.Nos.703 and 1039 of 2004

WRIT PETITION NO : 703 of 2004

Between:

1 G. Nagaiah S/o Ramakrishnaiah
O/o 33/11 K.V. Millennium Sub Station, APSPDCL., Mini Bipass Road, Srinivasa Agrahram,
Nellore, Nellore District
2 P. Siva Maheswar S/o Kotaiah
A.K. Nagar Sub Station, Dargamitta, Nellore, Nellore District
3 M. Mallikarjuna S/o M.V. ramanaiah,
O/o 33/11 K.V. Millennium Sub Station, APSPDCL., Nellore, Nellore District
4 K. Bhaskar, S/o Subbaramaiah
Millennium Sub Station, APSPDCL., Nellore, Nellore District
5 N. Srinivasulu S/o Audaiah
O/o 33/11 K.V. Sub Station, APSPDCL., C.G. Road, Navabpeta,
Nellore, Nellore District
6 Shaik Rafi S/o Khadar Unnissa,
O/o north Rajumpalem Electricity Office, Kovuru Division, Nellore, Nellore District
7 P. Mallikarjuna S/o Ramanaiah
O/o Millennium Sub-Station, APSPDCL., Nellore Nellore District
8 Shaik Mastan, S/o Mastan,
O/o Millennium Sub-Station, APSPDCL., Nellore Nellore District
9 Ch. Venkata Siva Prakash, S/o Venkataswamy
O/o Electricity Section Office, S.H. Peta Sec. Nellore District

..... PETITIONERS

AND

1 The APSPDCL., rep by Chairman & Managing Director, Tirupati, Chittoor District
2 The Superintending Engineer, APSPDCL., Vidhyuth Bhavan, Nellore Nellore

District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in issuing Notification dt 14-8-2003 without giving the weightage/preference to the service rendered by the petitioners as contract labour in the respondent organisation and without giving marks for the period waiting from the date of passing of qualifying examination to the date of appointment as given in recruitment of other posts, as highly illegal, arbitrary and violative of Art. 14 and 16 of Constitution of India and Consequentially direct the respondents to appoint the petitioners as Junior Line Man by giving Weightage/Preference as done in the case of generating stations

Counsel for the Petitioners: MR.N.M.KRISHNAIAH

Counsel for the Respondents: MR.S.RAVINDRANATH

WRIT PETITION NO : 1039 of 2004

Between:

1 M. Obaiah S/o Obulesu
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District
2 S. Malli, S/o Ramaiah
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District
3 S. Chinnaiah S/o Obulesu
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District
4 Ganta Malyadri S/o Rosaiah
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District
5 P. Mallikarjun S/o Sanjivaiah
Contract Labour, APSPDCL, Dargamitta, Nellore, Nellore District
6 T. Venkateswarlu S/o Narsaiah
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District
7 N. Srinivasulu S/o Venkatasubba Raju
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District
8 Ch. Venkataramanaiah S/o Narayana Raju,
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District
9 B. Chandramouli S/o Chenchaiah
Contract Labour, APSPDCL., Dargamitta, Nellore Nellore District

..... PETITIONERS

AND

1 The A.P.S.P.D.C.L. rep by its Chairman & Managing Director Tirupati, Chittoor District
2 The Superintending Engineer, APSPDCL., Vidyuth Bhavan, Nellore Nellore District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandmaus declaring the action of the respondents in not considering the petitioners for appointment as Junior Line Man and issuing the Notification dt.14-8-2003 without giving the weightage/preference to the service rendered by the petitioners as contract Labour in the respondent organisation and without giving marks for the period waiting from the date of passing of qualifying examination to the date of appointment as given in recruitment of other posts, as highly illegal, arbitrary and violative of Art. 14 and 16 of Constitution of India and consequentially direct the respondent to appoint the petitioner as Junior line Man by giving weightage/perference as done in the case of generating stations

Counsel for the Petitioners: MR.N.M.KRISHNAIAH

Counsel for the Respondents: MR.S.RAVINDRANATH

The Court made the following :

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COMMON ORDER:

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It is represented by the learned counsel appearing for the petitioners that in all these matters common question is involved and however as per the orders dated 08-04-2005, only three writ petitions viz., W.P.Nos.677 of 2004, 933 of 2004 and 934 of 2004 are disposed of and other writ petitions namely W.P.No.703 of 2004 and 1039 of 2004 were not included.

Having regard to the fact that the said order dated 08-04-2005 also covers two other writ petitions and following the very same order dated 08-04-2005 in W.P.No.677 of 2004 and others, the W.P.Nos.703 of 2004 and 1039 of 2004 are also disposed of on the same lines.

Accordingly, the writ petitions are disposed of. No order as to costs.

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24-06-2005

Note:

Issue copy in one week

(b/o)

Prv/Hsd

To

1 The Chairman & Managing Director,

A.P.S.P.D.C.L.,
Tirupathi, Chittoor District.

2 The Superintending Engineer, APSPDCL., Nellore Division, Nellore.

3 2 CD copies

4 1 CC to MR.KRISHNAIAH

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